

## REMARKS

Applicants thank the Examiner for participating in the case interview. During the interview, claim amendments relating to the inclusion of image data in content information was discussed.

Claims 1-5, 9, and 11 are currently pending in the application. Claims 1, 9, and 11 have been amended. Support for the amended claims can be located at page 7, lines 19-24.

On page 2 of the Office Action, claims 1-6, 9-12, 14, 16, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,829,430 (Ashizaki) in view of U.S. Patent No. 6,173,407 (Yoon).

Applicants respectfully submit that independent claims 1, 6, and 9-12 are patentable over the references, as neither Ashizaki nor Yoon, alone or in combination, discloses or suggests, "acquiring a content to be inserted into the photographed data wherein said content corresponds to the photographing position information and is acquired from a position-distinction contents database based on the photographing position information in the accepted photographed data," as recited in independent claim 1, for example. In the present invention, the "content," for example, an image, is inserted into photographed data.

On pages 2 and 3 of the Office Action, the Examiner alleged that Ashizaki discloses the present invention's "acquiring a content to be inserted into the photographed data. . .," as recited in claim 1 of the present invention. The Examiner cited column 19, lines 16-35 of Ashizaki for the allegation.

Applicants respectfully submit that the cited section of Ashizaki simply discloses auxiliary data, which is data that represents the mode of television broadcasting or the time of recording, for example. In contrast to the present invention, the auxiliary information of Ashizaki is not inserted into photographed data. Rather, the auxiliary information is simply recorded on the recording medium with the position data and relates to characteristics of the data to which it describes. Ashizaki further indicates that the auxiliary information assists in decoding an S-video signal, for example. See Ashizaki, column 19, lines 11-16. See *also* Ashizaki, column 19, lines 43-45.

Further still, Ashizaki fails to disclose or suggest, "wherein the content includes image or sound data symbolizing an area which corresponds to the photographing position information and fee information which corresponds to the data," as recited in currently amended independent claim 1, for example. In contrast to the present invention's content information,

Ashizaki's auxiliary information is simple data that relates to the characteristics of the data that it describes.

Moreover, assuming *arguendo* that the auxiliary information is inserted into photographing information, in contrast to the present invention, the auxiliary information is not acquired from a position-distinction contents database based on the photographic position information, as the auxiliary information is recorded with the position data on the recording medium.

As Yoon relates to authenticating a client using a web infoshop service, Yoon does not cure the deficiency of Ashizaki.

In light of the foregoing, Applicants respectfully submit that independent claims 1, 6, and 9-12 are patentable over the references, as neither Ashizaki nor Yoon, alone or in combination, discloses or suggests the above-identified feature of the claims. As the dependent claims depend from respective independent claims, the dependent claims are patentable over the references for at least the reasons presented for the independent claims.

Although Rhoads includes embedding auxiliary information in video or audio signals, the embedded information is not acquired from a database based on photographing position information. Therefore, claims 13, 15, and 17 are patentable over the references for at least the reasons presented for their respective independent claims.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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